

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF WISCONSIN

---

MID-SOUTH AG EQUIPMENT, INC.,

Case No. 2:20-cv-01899

Plaintiff,

v.

WACKER NEUSON SALES AMERICAS,  
LLC,

Defendant.

---

**STIPULATED MOTION FOR SUBSTITUTION OF DEFENDANT WACKER NEUSON  
SALES AMERICAS, LLC**

---

Plaintiff, Mid-South Ag Equipment, Inc. (“Mid-South”) and Defendant, Wacker Neuson Sales Americas, LLC, through the undersigned counsel, hereby submit this stipulated motion to substitute Wacker Neuson America Corporation for Defendant Wacker Neuson Sales Americas, LLC. As grounds for the motion, the parties stipulate and state as follows:

1. On December 23, 2020, Mid-South filed a complaint naming Wacker Neuson Sales Americas, LLC as the Defendant in this action. Wacker Neuson Sales Americas, LLC was the correct party in interest at the time the Complaint was filed.
2. On December 31, 2020, Wacker Neuson Sales Americas, LLC merged with Wacker Neuson America Corporation. Wacker Neuson Sales Americas, LLC is the non-survivor entity following the merger.
3. Under Rule 25(c) of the Federal Rules of Civil Procedure, this Court has the authority to order the substitution of one party where a transfer of interest occurs.
4. It would facilitate the conduct of the litigation to substitute Wacker Neuson America Corporation for Wacker Neuson Sales Americas, LLC. The Court’s substitution order

would simplify and clarify the identity of the parties for further pleadings and briefing and therefore facilitate the conduct of the litigation.

WHEREFORE, the Court should exercise its discretion under Rule 25(c) of the Federal Rules of Civil Procedure to substitute Wacker Neuson America Corporation for Wacker Neuson Sales Americas, LLC.

Dated this 1st day of April, 2021.

By: /s/ Peter T. Sandvick

Joseph L. Olson  
State Bar No. 1046162  
Marie G. Bahoora  
State Bar No. 1092689  
Peter T. Sandvick  
State Bar No. 1114549

MICHAEL BEST & FRIEDRICH LLP  
790 N. Water Street, Suite 2500  
Milwaukee, WI 53202  
Phone: 414-271-6560  
Fax: 414-277-0656  
Email: jlolson@michaelbest.com  
mgbahoora@michaelbest.com  
ptsandvick@michaelbest.com

*Attorneys for Plaintiff Mid-South Ag  
Equipment, Inc.*

By: /s/ Matthew M. Wuest

John L. Kirtley  
State Bar No. 1011577  
Matthew M. Wuest  
State Bar No. 1079834  
Nicholas Bezier  
State Bar No. 1101618

GODFREY & KAHN, S.C.  
833 East Michigan Street, Suite 1800  
Milwaukee, WI 53202-5615  
Phone: 414-273-3500  
Fax: 414-273-5198  
Email: jkirtley@gklaw.com  
Mwuest@gklaw.com  
nbezier@gklaw.com

*Attorneys for Defendant Wacker Neuson Sales  
Americas, LLC*